

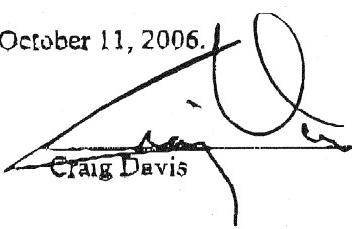
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From:RETIREMENTGUARD
10/11/2006 16:49 #365 P.001/001 PAGE 01UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRAIG DAVIS, as parent and natural)
guardian of ANDREW DAVIS,) CIVIL ACTION
Plaintiff,) No. 05-30011-MAP
-against-)
CATAMOUNT DEVELOPMENT CORP.,)
CATAMOUNT DEVELOPMENT CORP.,)
d/b/a CATAMOUNT SKI AREA,)
Defendants.)

AFFIDAVIT OF CRAIG DAVIS

1. I am the father of Andrew Davis, the plaintiff in opposition to defendant's motion for summary judgment.
2. At the time of the accident, January 25, 2004, Andrew was 7 years old.
3. He was participating in Catamount's Interclub junior racing, in which young skiers learn to develop skiing and turning skills with a coach. The fee for this program was \$250, which was waived as a benefit to me by virtue of having coached at Catamount for over 5 years.
4. Shortly after the accident I responded to the accident scene where I saw Andrew lying on the snow in the cross-over trail between Catamount and OnStage.
5. Andrew told me that he had hit a 2" x 4" wooden post that I could see on the trail, leaning over at about a 45 degree angle. It appeared that the top of his right ski had gone under the post, trapping his leg as he skied past.
6. The top of the post was lower than my head, and clearly less than 6 feet above the snow level.
7. I had previously noted the wooden post in that position on the trail.

Affirmed under the penalties of perjury, October 11, 2006.


Craig Davis